

SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM

**SUBJECT:** Vacate and Abandon a portion of a drainage and utility easement for Lot 65, Huntington Subdivision

**DEPARTMENT:** Planning & Development **DIVISION:** Development Review

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Cynthia Sweet **EXT.** 7443

**Agenda Date** 12/9/2003 **Regular** ☐ **Consent** ☐ **Work Session** ☐ **Briefing** ☐  
**Public Hearing – 1:30** ☒ **Public Hearing – 7:00** ☐

**MOTION/RECOMMENDATION:**

Adopt the Resolution to vacate and abandon a 61.6 square feet portion of the platted drainage and utility easement situated on Lot 65, Huntington Subdivision, as recorded in the Public Records of Seminole County, Florida in Plat Book 37, Pages 94 and 96, in Section 28, Township 21 S, Range 31 E and further described as 2156 Westminster Terrace, Oviedo, Florida – Clarissa Thomas-Gladman, applicant.

District 1 – Maloy (Cynthia Sweet, Planner) *CH*

**BACKGROUND:**

The applicant, Clarissa Thomas-Gladman, is requesting to vacate and abandon a portion of the platted drainage and utility easement, consisting of 61.6 square feet, to allow an existing storage shed to remain at its present location on the property located at 2156 Westminster Terrace, Oviedo, Florida.

The shed was constructed without the proper building permits and the owner has since applied to the Building Department to obtain the appropriate permits. During the permitting process it was found that in order to bring the storage shed into compliance, it would require a setback variance and vacate of the existing drainage and utility easement. The Board of Adjustment has approved a variance to the side yard setback to allow the existing shed to remain in its present location.

Vacation and abandonment of the unused portion of the platted drainage and utility easement would not diminish the effectiveness of the subdivision's drainage system. The owner has provided letters from the appropriate utility companies and homeowners association stating no objections to the request.

Reviewed by:  
Co Atty: K2C  
DFS: \_\_\_\_\_  
Other: SS  
DCM: SS  
CM: KB

File No. ph130pdd01

The vacation and abandonment of that portion of the drainage and utility easement as requested is necessary to prohibit a potential cloud of title on the property.

**STAFF RECOMMENDATION:**

Staff recommends adoption of the resolution to vacate and abandon that portion of the platted drainage and utility easement as requested by the applicant.

District            1 - Maloy

Attachments: Resolution – Exhibit A

                    Sketch of description – Exhibit B

                    Location Map – Exhibit C

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 9<sup>TH</sup> DAY OF DECEMBER A.D., 2003.

**RESOLUTION TO VACATE AND ABANDON A  
DRAINAGE EASEMENT**

Whereas, a Petition was presented on behalf of  
**CLARISSA M THOMAS-GLADMAN**

to the Board of County Commissioners of Seminole County, Florida, requesting the closing, vacating and abandoning of the following described drainage easement to-wit:

COMMENCE AT THE NORTHEAST CORNER OF LOT 65, HUNTINGTON, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 37, PAGES 94 THROUGH 96, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; RUN THENCE N89°54'37"W, ALONG THE NORTH LINE OF SAID LOT 65, 61.54 FEET, THENCE LEAVING SAID NORTH LINE, RUN THENCE S00°33'44"W, 0.48 FEET, TO THE NORTHEAST CORNER OF A WOOD AND METAL SHED ON CONCRETE, AND THE POINT OF BEGINNING; CONTINUE THENCE S00°33'44"W, ALONG THE EAST SIDE OF SAID SHED, 6.10 FEET, TO THE SOUTHEAST CORNER OF SAID SHED, RUN THENCE N89°26'16"W, ALONG THE SOUTH SIDE OF SAID SHED, 10.10 FEET, TO THE SOUTHWEST CORNER OF SAID SHED, RUN THENCE N00°33'44"E, ALONG THE WEST SIDE OF SAID SHED, 6.10 FEET, TO THE NORTHWEST CORNER OF SAID SHED, RUN THENCE S89°26'16"E ALONG THE NORTH SIDE OF SAID SHED, 6.10 FEET, TO THE POINT OF BEGINNING. CONTAINING 61.6 SQUARE FEET MORE OR LESS (SEE ATTACHED EXHIBIT B)

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, has determined that the abandonment of the above described drainage easement is in the best interest of the County and the public.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida, that the above described drainage easement be, and the same is hereby abandoned, closed and vacated, and that all right in and to the same on behalf of the County and the public is hereby disclaimed.

PASSED AND ADOPTED this 9<sup>th</sup> day of December A.D., 2003

ATTEST:

**BOARD OF COUNTY COMMISSIONERS  
OF SEMINOLE COUNTY, FLORIDA**

BY:

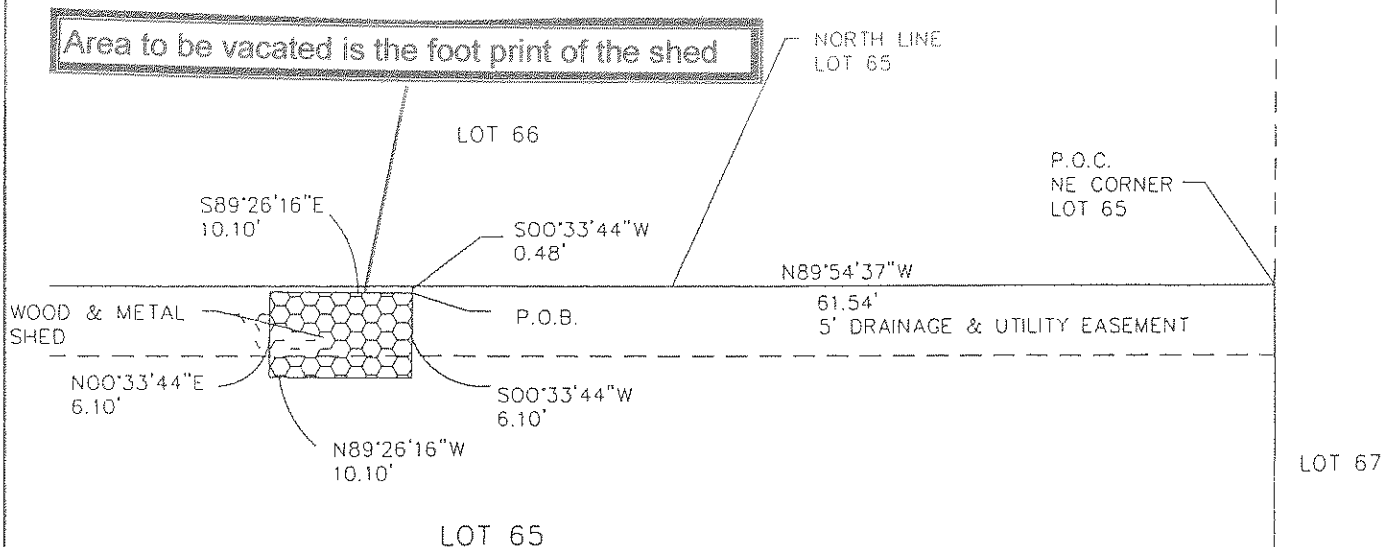
MARYANNE MORSE  
CLERK OF THE CIRCUIT COURT  
SEMINOLE COUNTY, FLORIDA

DARYL G. MCLAIN  
CHAIRMAN

# SKETCH OF DESCRIPTION

COMMENCE AT THE NORTHEAST CORNER OF LOT 65, HUNTINGTON, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 37, PAGES 94 THROUGH 96, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; RUN THENCE N89°54'37"W, ALONG THE NORTH LINE OF SAID LOT 65, 61.54 FEET, THENCE LEAVING SAID NORTH LINE, RUN THENCE S00°33'44"W, 0.48 FEET, TO THE NORTHEAST CORNER OF A WOOD AND METAL SHED ON CONCRETE, AND THE POINT OF BEGINNING; CONTINUE THENCE S00°33'44"W, ALONG THE EAST SIDE OF SAID SHED, 6.10 FEET, TO THE SOUTHEAST CORNER OF SAID SHED, RUN THENCE N89°26'16"W, ALONG THE SOUTH SIDE OF SAID SHED, 10.10 FEET, TO THE SOUTHWEST CORNER OF SAID SHED, RUN THENCE N00°33'44"E, ALONG THE WEST SIDE OF SAID SHED, 6.10 FEET, TO THE NORTHWEST CORNER OF SAID SHED, RUN THENCE S89°26'16"E ALONG THE NORTH SIDE OF SAID SHED, 6.10 FEET, TO THE POINT OF BEGINNING

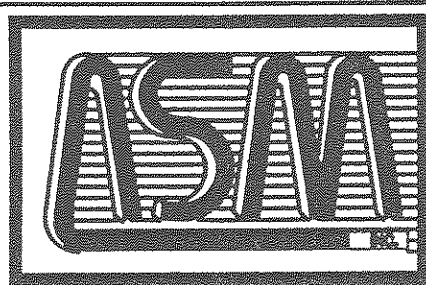
CONTAINING 61.6 SQUARE FEET MORE OR LESS



1 OF 2

CERTIFIED TO:  
CLARISSA THOMAS - GLADMAN

THIS IS NOT A SURVEY  
THIS IS A LEGAL DESCRIPTION ONLY



1. THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHT OF WAY, RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND
2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
3. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

( DATE: ) 11/05/03

SCALE: 1" = 20 FEET

APPROVED BY: GKB

JOB NO. ASM36491

DRAWN BY: GKB

REVISED:

AMERICAN SURVEYING & MAPPING  
CERTIFICATION OF AUTHORIZATION NUMBER LB#6393  
320 EAST SOUTH STREET, SUITE 180  
ORLANDO, FLORIDA  
32801 (407) 426-7979

THE LEGAL DESCRIPTION SHOWN  
WAS PREPARED BY:

*Galen K. Bell* 11/05/03  
GALEN K. BELL, PSM #4724

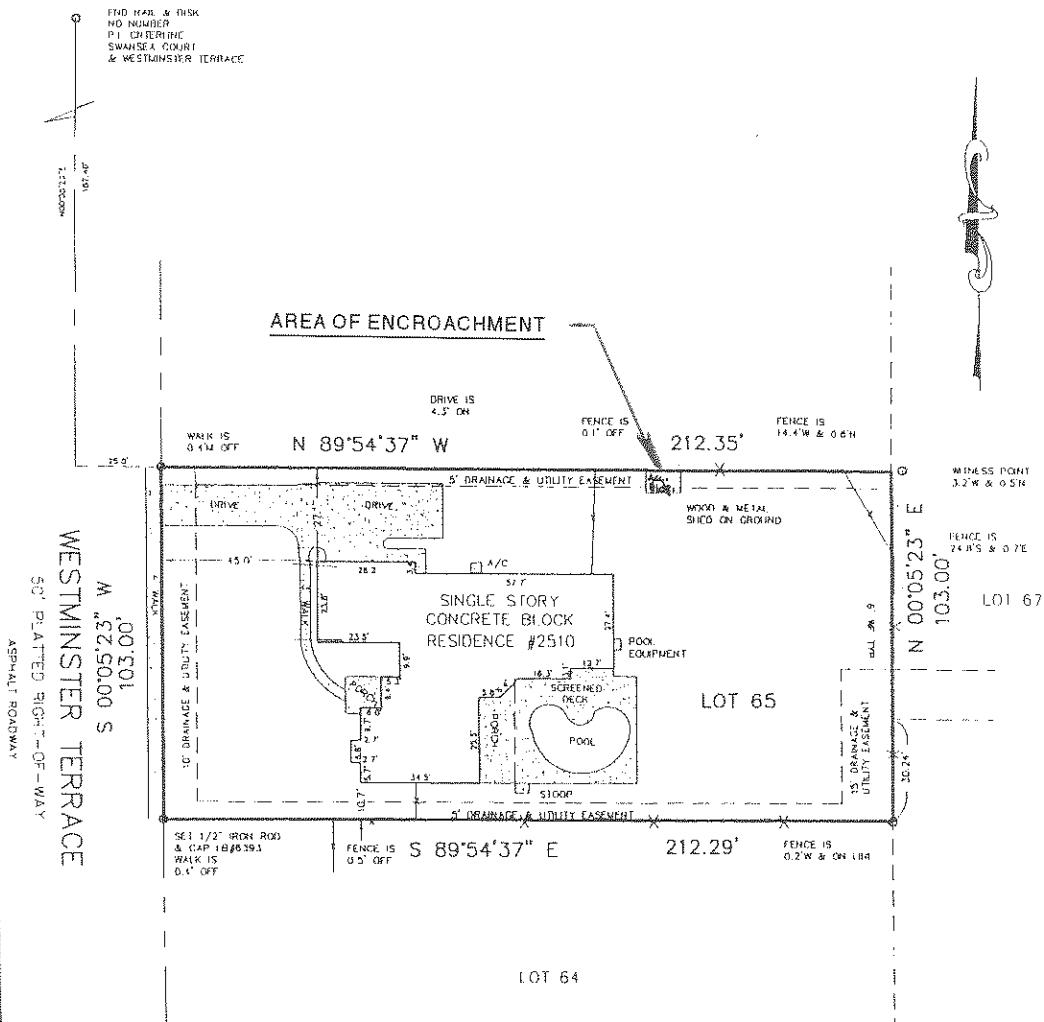
FOR  
THE  
FIRM  
DATE

EXHIBIT B

# PLAT OF SURVEY

DESCRIPTION: (AS FURNISHED)

LOT 65, HUNTINGTON, ACCORDING TO THE PLAT THEREOF,  
AS RECORDED IN PLAT BOOK 37, PAGES 94 THROUGH 96, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA



## LEGEND:

UTILITY POLE	POC	POINT OF COMMENCEMENT
○ DENOTES 5/8\" IRON ROD & CAP, I.B. #3744 (UNLESS OTHERWISE NOTED)	RP	RADIUS POINT
R DENOTES RADIALS	PRC	POINT OF REVERSE CURVE
Δ DENOTES DELTA ANGLE	POC	POINT OF COMPOUND CURVE
I DENOTES ARC LENGTH	FIR M.	FLOOD INSURANCE RATE MAP
CB	LS	LAND SURVEYING BUSINESS
RIGHT OF WAY LINE	PRM	PERMANENT REFERENCE MEASUREMENT
(P) PER PLAT	PYP	PERMANENT CONTROL POINT
(M) MEASURED	PI	POINT OF INTERSECTION
END FOUND	PT	POINT OF TANGENCY
CONCRETE	PC	POINT OF CURVATURE
D/B/A CORNER NOT ACCESSIBLE	CLF	CHAIN LINK FENCE
POB POINT OF BEGINNING	WF	WOOD FENCE
	TYP	TYPICAL
	A/C	AIR CONDITIONER
	CBW	CONCRETE BLOCK WALL
	RP	RADIUS POINT
	CHU	OVERHEAD UTILITY LINE

CERTIFIED TO:  
THOMAS GLADMAN  
CLARISSA THOMAS

2 OF 2

I HAVE EXAMINED THE FIRM, COMMUNITY PLAN, NO. 120289, 0165 E. DATED 04/17/95 AND FOUND THE SUBJECT PROPERTY APPEARS TO LIE IN ZONE X, AREA OUTSIDE THE 100 YEAR FLOOD PLAIN.

BEARRINGS SHOWN THEREON ARE BASED ON THE SOUTHERLY LINE OF LOT 65 BEING S 89°54'37\"

FIELD DATE: 6/19/02

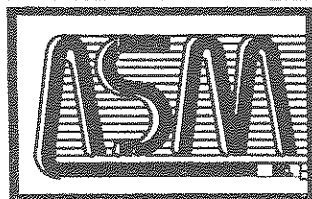
SCALE: 1\"

APPROVED BY: GRI

JOB NO: 454 56491

DRAWN BY: GRI

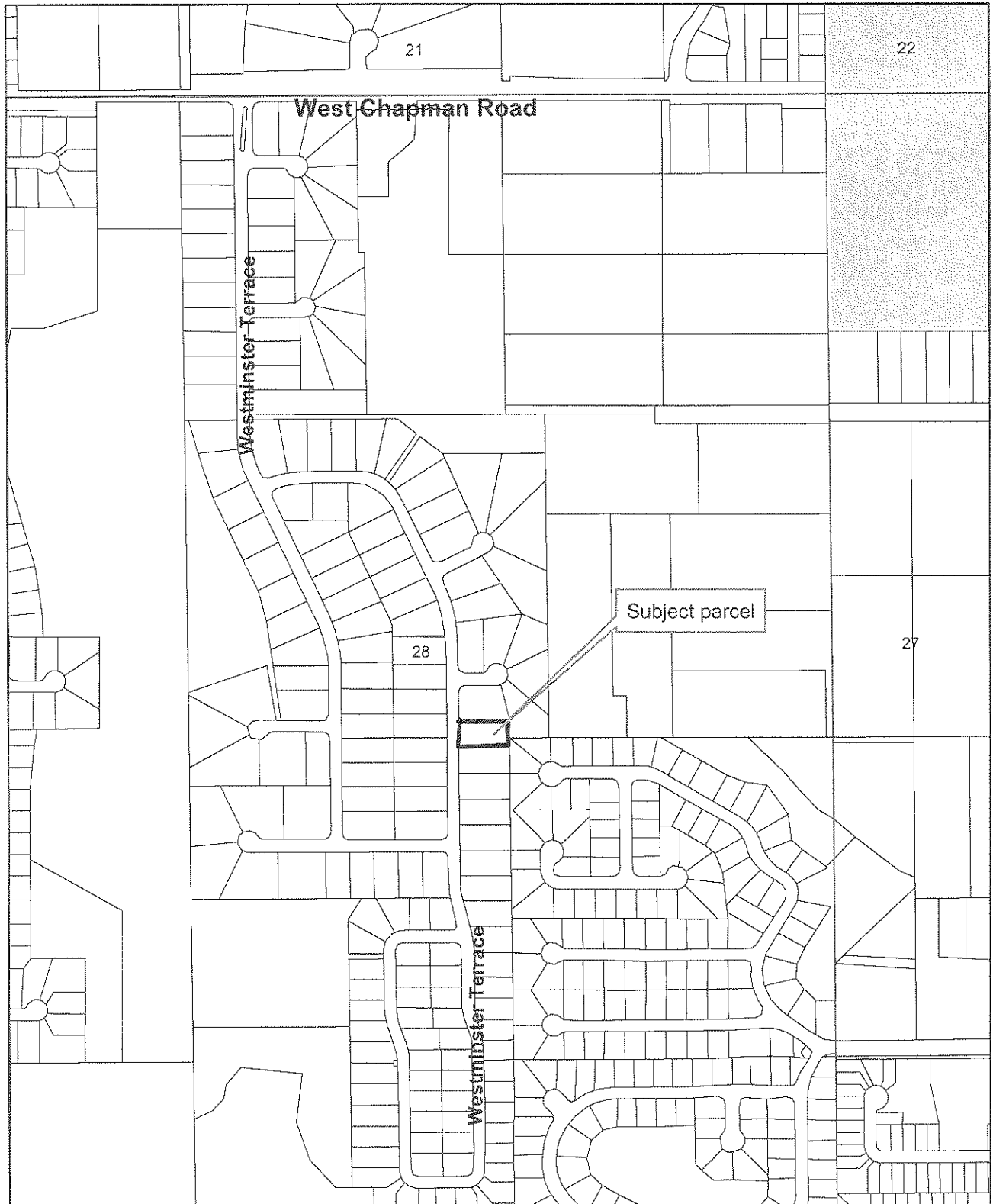
REVISION:



AMERICAN SURVEYING & MAPPING  
CERTIFICATION OF AUTHORIZATION NUMBER 126181  
320 EAST SOUTH STREET, SUITE 180  
ORLANDO, FLORIDA  
37601 (407) 426-7979

1. THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHT OF WAY, RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND.
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Galen K. Biel, F.S.M. #4226  
DATE: 7/09/02



## LOCATION MAP

Huntington Subdivision Lot 65  
Drainage and Utility Easement Vacate



EXHIBIT C